



City of Milwaukee Text File

200 E. Wells Street
Milwaukee, Wisconsin
53202

As of September 16, 2004

Resolution

Introduced: 9/1/2004

File Number: 040578

Status: In Council-Adoption

Version: 1

Sponsors: ALD. MURPHY

Resolution authorizing an agreement with the Milwaukee Metropolitan Sewerage District to exchange property in the vicinity of North 42nd Street and West St. Paul Avenue for the City-owned vacant lots at 218, 224 and 228 North 40th Street, to dedicate portions of the property on 42nd Street as public right-of-way and to authorize sale of the buildable lot on 42nd Street for residential development in the 10th Aldermanic District.

This resolution will permit the City of Milwaukee to exchange property with the Milwaukee Metropolitan Sewerage District, dedicate portions of the land for public right-of-way and authorize sale of a buildable lot for residential development.

Whereas, The Department of Public Works has requested that portions of property that Milwaukee Metropolitan Sewerage District ("MMSD") acquired for its Valley Park Neighborhood Flood Project at 428-32 North 42nd Street (Key No. 402-0281-110) and 421 North 42nd Street (Key No. 402-0254-110) be dedicated for public alley and/or street as shown on the Dedication Map, a copy of which is attached to this Common Council File; and

Whereas, The land to be dedicated as alley is legally described as follows:

That part of Lots 24 and 25 in Block 7 of Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the northwest corner of said Lot 25; thence Southerly, along the west line of Lot 25 aforesaid, 26.30 feet to the point of beginning of the land to be described; thence Northeasterly, along the northerly line of the proposed 20.00-foot wide public alley, to a point in the east line of Lot 25, said point lying 10.46 feet South of the northeast corner of Lot 25; thence Southerly, along the east line of Lots 25 and 24 aforesaid, 20.16 feet to a point lying 20.00 feet Southerly of, as measured normal to said proposed northerly line; thence Southwesterly, parallel to said proposed northerly line, to a point in the west line of Lot 24; thence Northerly, along said west line, 20.16 feet to the point of beginning.

Also, that part of Lots 25 and 26 in Block 7 of Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the southeast corner of Lot 26; thence Northerly, along the east line of Lot 26 aforesaid, 6.54 feet to the point of beginning of the land to be described; thence Southerly, along the east line of Lots 26 and 25 aforesaid, 17.00 feet to a point on the northerly line of a proposed 20.00-foot wide public alley, said line described as commencing at a point in the east line of Lot 25 lying 10.46 feet South of the northeast corner of Lot 25; thence Southwesterly to a point in the west line of Lot 25 lying 26.30 feet South of the

northwest corner of Lot 25 and its point of terminus; thence Southwesterly, along said proposed northerly line, 16.20 feet to a point; thence Northeasterly 24.93 feet to the point of beginning.

; and

Whereas, The land to be dedicated as street is legally described as follows:

That part of vacated North 42nd Street in Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, lying between a line described as commencing at the southwest corner of Lot 24 in Block 7 of said subdivision; thence Northerly, along the west line of Block 7 aforesaid, 7.00 feet to the point of beginning of said line; thence Westerly, as measured normal to said west line, to a point in the east line of Block 6, of said subdivision, and its point of terminus and a line described as commencing at the northwest corner of Lot 25 in said Block 7; thence Southerly, along the west line of Block 7 aforesaid, 20.00 feet to the point of beginning of said line; thence Westerly, as measured normal to said west line, to a point in the east line of said Block 6 and its point of terminus.

; and

Whereas, The alley dedication creates a buildable lot to the South of the alley that MMSD does not need for the flood project and is suitable for residential development; and

Whereas, MMSD has offered to dedicate land for public right-of-way and to convey the buildable lot to the City of Milwaukee ("City") in exchange for three City-owned vacant lots at 218, 224 and 228 North 40th Street (Key Nos. 402-0339-000, 402-0338-000 and 402-0337-000) that MMSD needs for the Menomonee Special West Mainline Sewer Project; and

Whereas, The three City-owned lots on 40th Street are unbuildable because of the steep topography and have little monetary value; and

Whereas, The new buildable lot that MMSD would convey to the City is suitable for a single-family home or duplex and the Department of City Development ("DCD") proposes to market the site for new home construction in a manner similar to that used to sell other City-owned buildable lots at such time as the flood plain map is revised to remove this and neighboring sites; and

Whereas, The City Plan Commission has determined that the right-of-way dedications are appropriate and that the current City-owned vacant lots at 218, 224 and 228 North 40th Street and the buildable lot on 42nd Street that MMSD will convey to the City are surplus to municipal needs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City is authorized to accept a deed from MMSD for a portion of the properties at 428-32 and 421 North 42nd Street for dedication as public right-of-way; and, be it

Further Resolved, That the City is authorized to accept a deed from MMSD for the buildable lot South of the new alley at 428-32 North 42nd and to market the lot for sale at market value for new home construction in the same manner as other City buildable lots are sold by DCD; and, be it

Further Resolved, In consideration of the dedication and conveyance of property to the City, the Commissioner of DCD, or designee, is authorized to execute a deed for the properties at 218, 224 and 228 North 40th Street to MMSD for the Menomonee Special West Mainline Sewer Project; and, be it

Further Resolved, That the Commissioner of DCD is authorized to market the new buildable lot at 428-32 North 42nd Street at market value for new home construction, to accept an offer to purchase and to execute all documents necessary to close a sale contingent on submission of acceptable final building plans and financing prior to closing.

DCD-Real Estate

EMM:bmm

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